## ESSB 6023 - H AMD 615

By Representatives Sullivan and P.

## ADOPTED AS AMENDED 4/10/2007

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) The legislature maintains a strong commitment to high expectations and high academic achievement for all students. The legislature finds that Washington schools and students are making significant progress in improving achievement in reading and writing. Schools are adapting instruction and providing remediation for students who need additional assistance. Reading and writing are being taught across the curriculum. Therefore, the legislature does not intend to make changes to the Washington assessment of student learning or high school graduation requirements in reading and writing.

- (2) However, students are having difficulty improving their academic achievement in mathematics and science, particularly as measured by the high school Washington assessment of student learning. The legislature finds that corrections are needed in the state's high school assessment system that will improve alignment between learning standards, instruction, diagnosis, and assessment of students' knowledge and skills in high school mathematics and science. The legislature further finds there is a sense of urgency to make these corrections and intends to revise high school graduation requirements in mathematics and science only for the minimum period for corrections to be fully implemented.
- Sec. 2. RCW 28A.655.061 and 2006 c 115 s 4 are each amended to read as follows:
  - (1) The high school assessment system shall include but need not be limited to the Washington assessment of student learning, opportunities for a student to retake the content areas of the assessment in which the student was not successful, and if approved

- by the legislature pursuant to subsection (10) of this section, one or more objective alternative assessments for a student to demonstrate achievement of state academic standards. The objective alternative assessments for each content area shall be comparable in rigor to the skills and knowledge that the student must demonstrate on the Washington assessment of student learning for each content area.
- (2) Subject to the conditions in this section, a certificate of academic achievement shall be obtained by most students at about the age of sixteen, and is evidence that the students have successfully met the state standard in the content areas included in the certificate. With the exception of students satisfying the provisions of RCW 28A.155.045 or section 4 of this act, acquisition of the certificate is required for graduation from a public high school but is not the only requirement for graduation.
- (3) Beginning with the graduating class of 2008, with the exception of students satisfying the provisions of RCW 28A.155.045, a student who meets the state standards on the reading, writing, and mathematics content areas of the high school Washington assessment of student learning shall earn a certificate of academic achievement. If a student does not successfully meet the state standards in one or more content areas required for the certificate of academic achievement, then the student may retake the assessment in the content area up to four times at no cost to the student. the student successfully meets the state standards on a retake of the assessment then the student shall earn a certificate of academic achievement. Once objective alternative assessments are authorized pursuant to subsection (10) of this section, a student may use the objective alternative assessments to demonstrate that the student successfully meets the state standards for that content area if the student has ((retaken)) taken the Washington assessment of student learning at least once. If the student successfully meets the state standards on the objective alternative assessments then the student shall earn a certificate of academic achievement.
- (4) Beginning with the graduating class of ((2010)) 2013, a student must meet the state standards in science in addition to the other content areas required under subsection (3) of this section on the Washington assessment of student learning or the objective

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alternative assessments in order to earn a certificate of academic achievement.

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- (5) The state board of education may not require the acquisition of the certificate of academic achievement for students in home-based instruction under chapter 28A.200 RCW, for students enrolled in private schools under chapter 28A.195 RCW, or for students satisfying the provisions of RCW 28A.155.045.
- (6) A student may retain and use the highest result from each successfully completed content area of the high school assessment.
- (7) (( $\frac{\text{Beginning in 2006}}{\text{constant}}$ )) School districts must make available to students the following options:
- (a) To retake the Washington assessment of student learning up to four times in the content areas in which the student did not meet the state standards if the student is enrolled in a public school; or
- (b) To retake the Washington assessment of student learning up to four times in the content areas in which the student did not meet the state standards if the student is enrolled in a high school completion program at a community or technical college. The superintendent of public instruction and the state board for community and technical colleges shall jointly identify means by which students in these programs can be assessed.
- (8) Students who achieve the standard in a content area of the high school assessment but who wish to improve their results shall pay for retaking the assessment, using a uniform cost determined by the superintendent of public instruction.
- (9) ((Subject to available funding, the superintendent shall pilot opportunities for retaking the high school assessment beginning in the 2004-05 school year. Beginning no later than September 2006,)) Opportunities to retake the assessment at least twice a year shall be available to each school district.
- (10)(a) The office of the superintendent of public instruction shall develop options for implementing objective alternative assessments, which may include an appeals process, for students to demonstrate achievement of the state academic standards. The objective alternative assessments shall be comparable in rigor to the skills and knowledge that the student must demonstrate on the Washington assessment of student learning and be objective in its determination of student achievement of the state standards.

Before any objective alternative assessments in addition to those authorized in RCW 28A.655.065 or (b) of this subsection are used by a student to demonstrate that the student has met the state standards in a content area required to obtain a certificate, the legislature shall formally approve the use of any objective alternative assessments through the omnibus appropriations act or by statute or concurrent resolution.

(b)(i) A student's score on the mathematics or reading portion of the preliminary scholastic assessment test (PSAT)((7)) or on the mathematics, reading or English, or writing portion of the scholastic assessment test (SAT)((7)) or the American college test (ACT) may be used as an objective alternative assessment under this section for demonstrating that a student has met or exceeded the ((mathematics)) state standards for the certificate of academic The state board of education shall identify the scores students must achieve on the ((mathematics)) relevant portion of the PSAT, SAT, or ACT to meet or exceed the state standard ((for mathematics)) in the relevant content area on the Washington assessment of student learning. The state board of education shall identify the first scores by December 1, ((2006, and thereafter)) 2007. After the first scores are established, the state board may increase but not decrease the scores required for students to meet or exceed the state standards ((for mathematics)).

(ii) The superintendent of public instruction shall implement an alternative assessment for mathematics that presents the mathematics essential academic learning requirements in segments; is comparable in content and rigor to the tenth grade mathematics assessment when all segments are considered together; is reliable and valid; and can be used to determine a student's academic performance level. The segmented mathematics assessment authorized under this subsection (10)(b)(ii) may be used as an objective alternative assessment under this section for demonstrating that a student has met the mathematics standards for the certificate of academic achievement.

(11) By December 15, 2004, the house of representatives and senate education committees shall obtain information and conclusions from recognized, independent, national assessment experts regarding the validity and reliability of the high school

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Washington assessment of student learning for making individual student high school graduation determinations.

- (12) To help assure continued progress in academic achievement as a foundation for high school graduation and to assure that students are on track for high school graduation, each school district shall prepare plans for students as provided in this subsection (12).
- (a) Student learning plans are required for eighth through twelfth grade students who were not successful on any or all of the content areas of the Washington assessment for student learning during the previous school year. The plan shall include the courses, competencies, and other steps needed to be taken by the student to meet state academic standards and stay on track for graduation. ((This requirement shall be phased in as follows:
- (i) Beginning no later than the 2004-05 school year ninth grade students as described in this subsection (12)(a) shall have a plan.
- (ii) Beginning no later than the 2005-06 school year and every year thereafter eighth grade students as described in this subsection (12)(a) shall have a plan.
- (iii)) (i) The parent or guardian shall be notified, preferably through a parent conference, of the student's results on the Washington assessment of student learning, actions the school intends to take to improve the student's skills in any content area in which the student was unsuccessful, strategies to help them improve their student's skills, and the content of the student's plan.
- $((\frac{(iv)}{)})$  <u>(ii)</u> Progress made on the student plan shall be reported to the student's parents or guardian at least annually and adjustments to the plan made as necessary.
- (b) ((Beginning with the 2005-06 school year and every year thereafter,)) All fifth grade students who were not successful in one or more of the content areas of the fourth grade Washington assessment of student learning shall have a student learning plan.
- (i) The parent or guardian of ((a)) the student ((described in this subsection (12)(b))) shall be notified, preferably through a parent conference, of the student's results on the Washington assessment of student learning, actions the school intends to take to improve the student's skills in any content area in which the

student was unsuccessful, and provide strategies to help them improve their student's skills.

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(ii) Progress made on the student plan shall be reported to the student's parents or guardian at least annually and adjustments to the plan made as necessary.

## Sec. 3. RCW 28A.155.045 and 2004 c 19 s 104 are each amended to read as follows:

Beginning with the graduating class of 2008, students served under this chapter, who are not appropriately assessed by the high school Washington assessment system as defined in RCW 28A.655.061, even with accommodations, may earn a certificate of individual achievement. The certificate may be earned using multiple ways to demonstrate skills and abilities commensurate with their individual education programs. The determination of whether the high school assessment system is appropriate shall be made by the student's individual education program team. Except as provided in section 4 of this act, for these students, the certificate of individual achievement is required for graduation from a public high school, but need not be the only requirement for graduation. When measures other than the high school assessment system as defined in RCW 28A.655.061 are used, the measures shall be in agreement with the appropriate educational opportunity provided for the student as required by this chapter. The superintendent of public instruction shall develop the guidelines for determining which students should not be required to participate in the high school assessment system and which types of assessments are appropriate to use.

When measures other than the high school assessment system as defined in RCW 28A.655.061 are used for high school graduation purposes, the student's high school transcript shall note whether that student has earned a certificate of individual achievement.

Nothing in this section shall be construed to deny a student the right to participation in the high school assessment system as defined in RCW 28A.655.061, and, upon successfully meeting the high school standard, receipt of the certificate of academic achievement.

NEW SECTION. Sec. 4. A new section is added to chapter 28A.655 RCW to read as follows:

- (1) Beginning with the graduating class of 2008 and through the graduating class of 2011, students may graduate from high school without earning a certificate of academic achievement or a certificate of individual achievement if they:
- (a) Have not successfully met the mathematics standard on the high school Washington assessment of student learning, an approved objective alternative assessment, or an alternate assessment developed for eligible special education students;
- (b) Have successfully met the state standard in the other content areas required for a certificate under RCW 28A.655.061 or 28A.155.045;
- (c) Have met all other state and school district graduation requirements; and
- (d)(i) For the graduating class of 2008, successfully earn one additional high school mathematics credit after the student's eleventh grade year designed to increase the individual student's mathematics proficiency toward meeting or exceeding the mathematics standards assessed on the high school Washington assessment of student learning; and
- (ii) For the remaining graduating classes under this section, successfully earn two additional mathematics credits after the student's tenth grade year designed to increase the individual student's mathematics proficiency toward meeting or exceeding the mathematics standards assessed on the high school Washington assessment of student learning.
  - (2) This section expires August 31, 2012.
- Sec. 5. RCW 28A.655.070 and 2005 c 497 s 106 are each amended to read as follows:
- (1) The superintendent of public instruction shall develop essential academic learning requirements that identify the knowledge and skills all public school students need to know and be able to do based on the student learning goals in RCW 28A.150.210, develop student assessments, and implement the accountability recommendations and requests regarding assistance, rewards, and recognition of the state board of education.
  - (2) The superintendent of public instruction shall:
- (a) Periodically revise the essential academic learning requirements, as needed, based on the student learning goals in RCW

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- 28A.150.210. Goals one and two shall be considered primary. To the maximum extent possible, the superintendent shall integrate goal four and the knowledge and skill areas in the other goals in the essential academic learning requirements; and
- (b) Review and prioritize the essential academic learning requirements and identify, with clear and concise descriptions, the grade level content expectations to be assessed on the Washington assessment of student learning and used for state or federal The review, prioritization, accountability purposes. identification shall result in more focus and targeting with an emphasis on depth over breadth in the number of grade level content expectations assessed at each grade level. Grade level content expectations shall be articulated over the grades as a sequence of expectations and performances that are logical, build with increasing depth after foundational knowledge and skills are acquired, and reflect, where appropriate, the sequential nature of The office of the superintendent of public the discipline. instruction, within seven working days, shall post on its web site any grade level content expectations provided to an assessment vendor for use in constructing the Washington assessment of student learning.
- (3) In consultation with the state board of education, the superintendent of public instruction shall maintain and continue to develop and revise a statewide academic assessment system in the content areas of reading, writing, mathematics, and science for use in the elementary, middle, and high school years designed to determine if each student has mastered the essential academic learning requirements identified in subsection (1) of this section. School districts shall administer the assessments under guidelines adopted by the superintendent of public instruction. The academic assessment system ((shall)) may include a variety of assessment methods, including criterion-referenced and performance-based measures.
- (4) If the superintendent proposes any modification to the essential academic learning requirements or the statewide assessments, then the superintendent shall, upon request, provide opportunities for the education committees of the house of representatives and the senate to review the assessments and

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proposed modifications to the essential academic learning requirements before the modifications are adopted.

- $(5)((\frac{1}{(a)}))$  The assessment system shall be designed so that the results under the assessment system are used by educators as tools to evaluate instructional practices, and to initiate appropriate educational support for students who have not mastered the essential academic learning requirements at the appropriate periods in the student's educational development.
- (((b) Assessments measuring the essential academic learning requirements in the content area of science shall be available for mandatory use in middle schools and high schools by the 2003-04 school year and for mandatory use in elementary schools by the 2004-05 school year unless the legislature takes action to delay or prevent implementation of the assessment.))
- (6) By September 2007, the results for reading and mathematics shall be reported in a format that will allow parents and teachers to determine the academic gain a student has acquired in those content areas from one school year to the next.
- (7) To assist parents and teachers in their efforts to provide educational support to individual students, the superintendent of public instruction shall provide as much individual student performance information as possible within the constraints of the assessment system's item bank. The superintendent shall also provide to school districts:
- (a) Information on classroom-based and other assessments that may provide additional achievement information for individual students; and
- (b) A collection of diagnostic tools that educators may use to evaluate the academic status of individual students. The tools shall be designed to be inexpensive, easily administered, and quickly and easily scored, with results provided in a format that may be easily shared with parents and students.
- (8) To the maximum extent possible, the superintendent shall integrate knowledge and skill areas in development of the assessments.
- (9) Assessments for goals three and four of RCW 28A.150.210 shall be integrated in the essential academic learning requirements and assessments for goals one and two.

(10) The superintendent shall develop assessments that are directly related to the essential academic learning requirements, and are not biased toward persons with different learning styles, racial or ethnic backgrounds, or on the basis of gender.

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- (11) The superintendent shall consider methods to address the unique needs of special education students when developing the assessments under this section.
- (12) The superintendent shall consider methods to address the unique needs of highly capable students when developing the assessments under this section.
- (13) The superintendent shall post on the superintendent's web site lists of resources and model assessments in social studies, the arts, and health and fitness.
- **Sec. 6.** RCW 28A.655.063 and 2006 c 115 s 5 are each amended to 14 15 read as follows:

Subject to the availability of funds appropriated for this purpose, ((school districts shall reimburse)) the office of the superintendent of public instruction shall provide funds to school districts, arrange for students to receive a testing fee waiver, or make other arrangements to compensate students for the cost of taking the tests in RCW 28A.655.061(10)(b) when the students take the tests for the purpose of using the ((mathematics)) results as an objective alternative assessment.

- **Sec. 7.** RCW 28A.655.200 and 2006 c 117 s 4 are each amended to read as follows:
- (1) ((In the absence of mandatory, statewide, norm-referenced assessments,)) The legislature intends to permit school districts to offer norm-referenced assessments, make diagnostic tools available to school districts, and provide funding for diagnostic assessments to enhance ((guidance and planning for students and to)) student learning at all grade levels and provide early intervention before the high school Washington assessment of student learning.
- (2) In addition to the diagnostic assessments provided under ((subsection (5) of)) this section, school districts may, at their own expense, administer norm-referenced assessments to students.

- (3)((By September 1, 2005, subject to available funds,)) The office of the superintendent of public instruction shall post on its web site for voluntary use by school districts, a guide of diagnostic assessments. The assessments in the guide, to the extent possible, shall include the characteristics listed in subsection (4) of this section.
- (4) Beginning September 1, 2007, the office of the superintendent of public instruction shall make <u>diagnostic</u> assessments in reading, writing, mathematics, and science in <u>elementary and middle school grades</u> available to school districts ((diagnostic assessments that)). Subject to funds appropriated for this purpose, the office of the superintendent of public instruction shall also provide funding to school districts for administration of diagnostic assessments to help improve student learning, identify academic weaknesses, enhance student planning and quidance, and develop targeted instructional strategies to assist students before the high school Washington assessment of student learning. To the greatest extent possible, the assessments shall be:
  - (a) Aligned to the state's grade level expectations;
  - (b) Individualized to each student's performance level;
- (c) Administered efficiently to provide results either immediately or within two weeks;
- (d) Capable of measuring individual student growth over time and allowing student progress to be compared to other students across the country;
  - (e) Readily available to parents; and
  - (f) Cost-effective.

- (5) ((Beginning with the 2006-07 school year, the superintendent of public instruction shall reimburse school districts for administration of diagnostic assessments in grade nine for the purpose of identifying academic weaknesses, enhancing student planning and guidance, and developing targeted instructional strategies to assist students before the high school Washington assessment of student learning.
- ((is encouraged to)) shall offer training at statewide and regional staff development activities ((training opportunities that would assist practitioners)) in:

(a) The interpretation of diagnostic assessments; and

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(b) Application of instructional strategies that will increase student learning based on diagnostic assessment data.

NEW SECTION. Sec. 8. (1) The legislature's intent is to make significant improvements in the high school Washington assessment of student learning in the content areas of mathematics and science before requiring students to meet the state standard on the assessment for graduation purposes. The legislature believes that a high school assessment system where students receive instruction through credited high school mathematics and science courses and have their knowledge and skills assessed after they complete the courses represents a superior assessment system than the current form of the Washington assessment of student learning. legislature also believes that end-of-course assessments offer better diagnostic information and would improve the alignment of curriculum, instruction, and assessment. However, the legislature acknowledges that replacing the current form of the Washington assessment of student learning in mathematics and science with endof-course assessments represents a significant change that should be thoroughly evaluated, along with other possible changes, by an independent third party and that members of the education community and the public should have ample opportunity to provide input.

- (2)(a) The state board of education, in consultation with the superintendent of public instruction, shall contract with an independent regional educational research organization that has experience with Washington's education and assessment system to examine and recommend changes to the high school Washington assessment of student learning in the content areas of mathematics and science.
- (b) The primary change to be examined under this subsection (2) shall be replacing the current high school Washington assessment of student learning with a limited series of end-of-course assessments in mathematics and science. The examination of end-of-course assessments shall include:
- (i) An objective analysis of the potential strengths and weaknesses of end-of-course assessments as the primary high school assessment tool for student and school accountability;

(ii) Analysis of the possible impact of end-of-course assessments on curriculum and instruction in mathematics and science;

- (iii) The appropriate mathematics and science content to be covered by end-of-course assessments;
- (iv) Recommended implementation timelines and issues to be addressed in replacing the current assessment; and
- (v) A detailed analysis of the cost-effectiveness of adopting end-of-course assessments compared to continuing to refine and improve the Washington assessment of student learning, associated diagnostic tools, and other teaching support measures.
- (b) In addition, the examination shall identify other possible changes to the Washington assessment of student learning that address, at a minimum, the following issues:
  - (i) Timeliness of the return of score results;
  - (ii) The diagnostic value of score results;
- (iii) Cost of administration of the assessment and the burden on school districts; and
- (iv) Opportunities to improve alignment of curriculum, instruction, and the assessment.
- (3) In conducting the examination under subsection (2) of this section, the state board of education shall ensure that the regional educational research organization seeks input from other independent national assessment experts and examines the experience of other states, particularly states that have implemented end-of-course assessments.
- (4) In any request for proposals for a new testing contractor for the Washington assessment of student learning, the superintendent of public instruction shall include the possible changes being examined by the regional educational research organization so that additional information about the cost and feasibility of the changes can be provided by prospective testing contractors.
- (5) A report with findings and recommendations from the regional educational research organization on the issues required to be examined under subsection (2) of this section shall be presented to the state board of education, the superintendent of public instruction, the governor, and the education committees of the legislature by January 10, 2008.

(6) The state board of education shall consider the findings and recommendations from the regional educational research organization using a deliberative public process to ensure ample input from teachers, school and district administrators, the business community, parents, and other interested individuals and organizations. The state board of education shall submit a final report to the superintendent of public instruction, the governor, and the education committees of the legislature by September 15, 2008, that includes recommendations for changes to the high school Washington assessment of student learning in mathematics and science and a recommended timeline that provides for expedited implementation of the recommended changes.

- (7) The legislature intends that the changes recommended by the state board of education under this section shall be able to be implemented no later than the 2009-10 school year in order to apply to the graduating class of 2012. If the state board of education finds that the changes cannot feasibly be implemented by the 2009-10 school year, the state board shall state the specific reasons for such a finding, along with supporting evidence, and recommend a revised expedited timeline.
- (8) For its final report, the state board of education shall also examine and make recommendations regarding:
- (a) The effectiveness of current authorized alternative assessments; and
- (b) Opportunities for additional alternative assessments, including the possible use of one or more standardized norm-referenced student achievement tests and the possible use of the reading, writing, or mathematics portions of the ACT ASSET and ACT COMPASS test instruments as objective alternative assessments for demonstrating that a student has met the state standards for the certificate of academic achievement.
  - (9) This section expires June 30, 2009.
- NEW SECTION. Sec. 9. A new section is added to chapter 28A.655 RCW to read as follows:
  - (1) In allocating state funds for the promoting academic success program, the legislature has recognized that high school students whose scores represent a near miss of the state standard on the Washington assessment of student learning require fewer

- remedial resources to ensure that they meet the state standard on the next attempt. However, there is significant variation among the remaining students whose scores represent a far miss of the state standard regarding their levels of knowledge and skills, and consequently the levels of remediation they will need.
- (2) School districts receiving funding allocations through the promoting academic success program for high school students scoring more than one standard error of measurement from meeting the state standard shall assign more resources per student to support students scoring at level one on the Washington assessment of student learning than are assigned to support students scoring at level two."
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**EFFECT:** Allows students in the graduating classes of 2008 through 2011, rather than the classes of 2008 and 2009 only, to graduate without a Certificate of Academic Achievement as a result of not passing the math WASL if they meet other graduation requirements and take additional math courses. Delays the requirement for students to pass the science WASL to 2013, rather than 2011 in the underlying bill.

Declares Legislative intent to make significant improvements in the high school WASL in math and science, and a belief that end-of-course assessments represent a superior assessment system, but acknowledges that such changes should be evaluated by an independent third party.

Rather than specifying a timeline for implementation of end-ofcourse assessments for high school math and science (first as an alternative assessment and then as replacements for the WASL), directs the State Board of Education to contract with a regional educational research organization to examine and make recommendations for changes to the WASL. Requires the primary change examined to be replacing the WASL with end-of-course assessments in mathematics and science.

Requires a report from the research organization in January 2008. Requires the SBE to consider the report through a public process and issue a final report with recommendations in September 2008. States that the Legislative intent is that recommended changes must be able to be implemented no later than the 2009-10 school year in order to apply to the graduating class of 2012. Specifies that if the SBE finds this intent cannot feasibly be met by 2009-10, the SBE must recommend a revised timeline.

Also requires the SBE to examine current alternative assessments and possible additional ones, including normreferenced tests and the ACT ASSET and COMPASS tests.

Allows students to access an alternative assessment after taking the WASL once. Authorizes the use of a segmented math test as an alternative assessment. Removes three other new alternative assessments: AP exams, scores on standardized, norm-referenced tests, and end-of-course assessments in Algebra I, Geometry, and Biology. Removes provisions creating a regional appeals process at each ESD, expanded requirements for Student Learning Plans, and an exemption for certain English Language Learners from taking the WASL.

Adds provisions regarding diagnostic assessments and the prioritization of Promoting Academic Success allocations on Level I students.